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**REMARKS**

**Objections**

**Claims 56-61**

The Examiner has objected to claims 56-61 stating that there is insufficient antecedent basis for the limitation "the step of identifying" in line 1, and further stating that it appears that claim 56 should depend from claim 55. Applicant has canceled claims 56-61. As such, Applicant submits that the Examiner's rejection is moot and should be withdrawn.

**Restriction Requirement**

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

I. Claims 1-51, drawn to pausing a video program for a video call, classified in class 725, subclass 88.

II. Claims 52-89, drawn to displaying caller identification of a video call, classified in class 725, subclass 139.

III. Claims 90-97, drawn to simultaneous display of the video call and video programming, classified in class 725, subclass 37.

IV. Claims 98-105, drawn to an upgrade module for a terminal, classified in class 725, subclass 132.

In response to the Examiner's restriction requirement, the Applicant hereby elects the invention classified by the Examiner as Invention Group IV. These elected claims are drawn to an upgrade module for a terminal, classified in class 725, subclass 132. As discussed with the Examiner by telephone (Applicant's attorney thanks the Examiner for the courtesies extended during the telephone conference), Applicant is canceling all of the elected and non-elected claims and inserting instead new claims 106-118 drawn to the invention of elected Group IV.

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### CONCLUSION

The Applicant reserves the right to subsequently file divisional applications in order to prosecute the inventions recited in any one or more of the non-elected groups of claims.

If the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: \_\_\_\_\_

*10/27/04*



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